

# Maryland Whistleblower Law

## SPP Title 5-301 – 5-310

- Applicable to all employees and State employees who are applicants for positions in the Executive Branch of State government, including a unit with an independent personnel system.
- The head of each principal unit shall provide their employees with written notice of the protections and remedies provided by this subtitle.
- A supervisor, appointing authority, or the head of a principal unit may not take or refuse to take any personnel action as a reprisal against an employee who:
  - Discloses information that the employee reasonably believes evidences:
    - An abuse of authority, gross mismanagement, or gross waste of money;
    - A substantial and specific danger to public health or safety;
    - A violation of law; or
- Following a disclosure under item (1) of this section seeks a remedy provided under this subtitle or any other law or policy governing the employee's unit.



**Disclosure of information is protected.** Information protected under the Whistleblower Law may be reported to a supervisor, appointing authority, or the head of a principal unit who is in a position to correct the illegal wrongdoing. Also, a disclosure specifically prohibited by law may be reported to the Office of the Attorney General.

- An employee in the State Personnel Management System who seeks relief for a violation of SPP 5-305 may elect to file:
  - A complaint under SPP 5-309; or
  - A grievance under Title 12 of the article
- A complainant may be represented during the complaint process by any person they choose.
- A complaint under this subtitle must be filed within 6 months after the complainant first knew of or reasonably should have known of the violation.
- When a complaint is received by the OSEEOC, a copy of complaint is sent to the head of the principal unit named in the complaint: and advised to respond in writing to the complaint within **20 days** after receiving a copy.
- Within **60 days** after a complaint is received, it is investigated to determine whether a violation of SPP 5-305 occurred.
- A written decision is issued to the complainant and head of the principal unit outlining any remedial action taken.
- A complainant may appeal to the Office of Administrative Hearings within **10 days** after receiving a decision under SPP 5-309 or when a decision is not issued within **60 days** after the complaint is filed and the complainant requests a hearing.



410-260-7041

For more information, visit <https://dbm.maryland.gov/eo/Documents/Whistleblower-Policy.pdf>